IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5297 of 1992

For Approval and Signature:

HONOURABLE MR.JUSTICE K.A.PUJ

==========

1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

==========

GULAMHUSEN VALIBHAI SALEMA - Petitioner
Versus
DIRECTOR ACCOUNT AND TREASURY & 2 - Respondents

==========

Appearance :
MR YN OZA for Petitioner.
MR LB DABHI, AGP for Respondents.

==========

CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 14/02/2006

ORAL JUDGMENT

1.The petitioner has filed this petition under Article 226 of the Constitution of India praying for quashing and setting aside the transfer order of the petitioner transferring him from Ahmedabad to Jamnagar dated 28.04.1992 and suspending the petitioner from services dated 04.05.1992 and praying for the direction to the respondents to continue/reinstate/repost the petitioner at his Ahmedabad office with all consequential and incidental benefits including full salary and continuity of service.

2.The petition was admitted on 12.08.1992. However, the interim relief was not granted. Mr. L.B. Dabhi, learned Assistant Government Pleader appearing for the respondents has submitted that an order was passed by the Director Accounts and Treasury, Gujarat State, Ahmedabad whereby the petitioner was reinstated and was appointed at Khadir (Kachchh). Another

order was passed on 19.05.2000 whereby the suspension period of the petitioner was treated as the period spent on duty. Accordingly, the period from 06.05.1992 to 25.08.1997 was considered to be the period on duty and the suspension allowance which was paid to the petitioner was ordered to be adjusted against his salary and wages to which the petitioner is entitled. Copies of the aforesaid orders are placed on record by learned Assistant Government Pleader.

3.In the above view of the matter, nothing survives in this petition. The petition has become infructuous. The petition is accordingly disposed of as having become infructuous. Rule discharged without any order as to costs.

[K.A. PUJ, J.]

S*avariya*